Since France and England First Quarrelled Over Egypt.

FRANCE SAYING COME ON

And England Both Ready and Willing to Come.

SYMPTOM OF SETTLEMENT

Discovered in a Remark of Salisbury .. Titles to Fashoda Compared .. Crisis Threatens in France.

(Copyrighted, 1898, by Associated Press.) London, Oct. 22.-Never since Great Britain and France began to dispute over Egypt, nor during the most acute stage of the Niger differences between those two court of cassation. M. Bourgeol is recountries, has the situation looked so garded as the probable successor of M. ominous as today. In spite of the hope Brisson, and lively times are promised on expressed in the sober journals of both countries that the matter would be amicably arranged, it is a fact that the French naval and military authorities are making feverish preparations for war, nd though olm reigns at the British dockyards at Portsmouth, Chatham and Devenport, it is A collission between the two factions is only the calm of preparedness, and sig-milicant orders have been arriving there from the admiralty, indicating the bellef that Great Britain and France are on the brink of war. As M. De Blovitz, the Paris correspondent of the London Times,

BOTH SPOILING FOR A FIGHT. Never before has there been witnessed such a state of fever as is now prevailing in Great Britain, nor so great an exaltation of public feeling over a matter of foreign policy, while, on her side, France is promptly here, without looking forward or backward, preparing to fight any power provoking her. The French statesmen, owever, still eling to the hope that the Marquis of Salisbury will offer some exchange which will enable them to retire from Fashoda without apparent sacrifice of dignity. This hope is based on a conbetween Lord Salisbury and Baron de Courcel, the French ambassador at London, which figures in an important dispatch in the yellow book which the French government will issue tomorrow."

MERELY AN OUTLET. learned by the Associated Press nat the Baron de Courcel in this dispatch mays that Lord Salisbury, during the conversation referred to, asked him what were the desires of France in the Soudan. To which the baron replied that France wished for an outlet on the Upper Nile. Lord Saltabury then responded that he could not promise anything and must consult with his colleagues on such a matter.

to discuss the French claims, and they even talk of negotiations being in praagorously combat this impression and ground. tion of Fashoda must precede anything

COMPARISON OF TITLES. The Times today, referring to the Fash-

"It is not we who are trying to humiliate exploring party of nine Frenchmen, who one their escape from destruction to our military success; or, if we are kindly per- which constantly punctuated the ex-con- plenty of light and air. mitted not to clear out, we are to pay a compensation for our title to what we have thing we can consent to discuss upon any such high-handed summons. We are therean effective occupation, and there we in-

THE GRIND-ORGAN MAN. Punch hits off the popular feeling in this

antter in a cartoon representing John Bull being pestered by a French organ-grinder enizade his doorstep. The organ is labeled: Fashoda, and a monkey, in French millscreaming and beating a tiny dram;

first decimed to be more routine arrangethe of murrow M. Lockrey, is dispatching was surrounded

working at full pressure and preparing warships and torpedo houts for active ser-

BRITISH READY THIS MINUTE. On the British side a feeling of abenlute self-confidence is displayed. "Hverything ready" is the burden of all like statements from maval quarters. In fact, th footing for a year past, and an authoritagive antiquocement to this effect has come from the secretary of the admiralty, Mr. W. Eillson Maccariney. Referring to the channel, he said:

"So far as the British admiralty is concerned, the ships, officers and general administration are ready now to meet the mating what Summer county will do this murdering her husband. She is a

wishes of the country. A prominent dockyard official, in an interview, declared that the circumstances of the present crists have been fully provided for in the mobilization scheme. He added that the British naval authorities had all their ships ready and could commis sion a squadron of cruipers and have them four hours. This official also pointed out that it was not for nothing that the Bettieb mhval man-uvers were put off this year

fore. The British admiralty list shows that nine British battleships and eleven fast cruisers are lying in the Mediterranean, while the British channel squadron, which was last reported off Villagaria, Spuin, onsisting of eight battleships and five rusers, constitutes the most modern and owerful homogeneous ficet of warships

Telegrams from Bulmoral intimate that Queen Victoria is following the trend of vents with much chagrin. Her aversion o war, in the declining years of her eign, is well known and is an appreciable factor in the situation. Tithe British newspapers are closely following the dispute be tween Great Britain and France, and,

THE QUEEN'S CHAGRIN.

while they express the hope that it wil not end in war, the general feeling is that the French position is untenable and that Great Britain is entitled to reap the fruits

FRANCE'S THREATENED CRISIS. The Brisson ministry appears to have one foot in the grave, and its prospects of lasting long beyond the opening of paritament are very dubious.

The French premier is attacked on all ides, and it was thought he would try to secure the support of the moderators to carry him through the session. But his list that moderate officials have mostly been replaced by radicals. This has exasperated the moderates, who declare the ministry has thereby signed its own death warrant. Interpelations from deputies on the government policy at home and abroad are pouring in. M. Cavaignao, the former minis ier of war, intends to attack the government on the question of the revision of the Dreyfus case, opposing its reference to the court of cassution, on the ground that the army has, in the council of appeal, its own the reassembling of the chamber of depunes on Tuesday next. The French Socialists are organizing a vast demonstration to take place on the Place de la Concerde, and the anti-Dreyfus league has also summoned its adherents to meet there, anticipated, in view of which the prefect of police is taking measures on a gigantic scale to preserve order. In addition, the military authorities are preparing for trouble and the garrison of Paris will be onfined to the barracks.

The preliminary Socialist meetings have already resulted in conflicts with the police.

JUDGE KEATON AT PERRY Criticises the Republican Party and

Apologizes for His Own.

Perry, O. T., Oct. 22—(Special)—Judge Keaton, fusion candidate for delegate to congress, spoke in this city this afternoon to a very fair crowd, as fusion crowds go. The judge is not an orator, neither does he hold a crowd so well as Flynn—very few speakers do—but on the whole considering the material on hand Figure—very few speakers do—but on the whole, considering the material on hand out of which in this campaign to frame a fusion speech, he did fairly well. Like guns of the Alfonzo XIII. in the Santa has party, he desiroys but does not build up; he criticizes, but guarantees nothing better. The whole tenor of his speech has a prologation.

LONG AT SOUTH HAVEN Addresses the Largest Republican

Crowd He Ever Saw There. this afternoon, thelargest meeting Mr. Long has had in this part of the country, in all the years be has been campaigning in this congressional district. The hall, a large one, was absolutely packed and the standing-room sign was displayed early. Farmers drove from the country all around; the little towns of the United States troops would begin to Hunnewell, Portland, and others sent representatives and Weilington was on the

The day was a fine one and conducive warn France not to be led away by such to the success of the rally. The local man agement had been a trifle worried over the success of this, the first meeting of campaign, but events proved ther reed have been no fear of anything France; but it is Prance who seeks to put a great humiliation upon us. We have beaten the khalifa and have effectively beaten the khalifa and have effectively bothered with more or less serious in-bothered with more or les ternoon, though the meeting was nearly three hours in length, there was no interruption, save, the liberal

ty super mtendent, were with the crowd, and seated on the stage during the meeting. Each made "a few remarks" before the speaking proper began. Each candidate seamed popular and the chances are fair for the election of the Republican per egg; soups, fresh meat; in fact ticket in Summer county this year, though have all the land affords for their benefit

Editor Andy Richards of the Mail, and John T. Showalter were among the Wel-Ington contingent and brought good re-The organ-grinder asks: "What will you the north end. This added to the preva-"I li give you something if the Republicans, who feel countlent victory this year-pational, state, con

Mr. Long made his usual forcible speech was surrounded by his enthusiastic friends. There is no doubt that Mr. Long. coast, and he is receiving reports as to is very much stronger here than two gion and the officers and crettains are fre-

years ago and will poil a line vote in the quently robbed south end this year.

Mr. Wallace showed up the present and mostly slight state administration, the last regislature and the fullity of putting further exaftence in the Populst party of Kansus, in aggressive manner of handling the ascenses excited much approval.

A pleasing feature of the cig raily was long row of old soldiers and gray-caded and bearded men which occupied he very front seats from one end of he half to the other. These men fould and by the government, the administra-n and the Republican party, with built

The goath Haven rally is one to be re-

Possibly a future King of Italy.

Turin, Oct. 21-The Duchess of Assets, wife of Prince Emanuelo Philberto, Duke of Aceta, eldest nephew of the King of taly, was successfully delivered of a son today. The duchess was formerly Printhe Duke of Assm on June 13, 1886.

He added hat the British ships at the and empress of Germany left here for the Sanderson family reached friends of present moment have a larger supply of Palestine at 150 this evening. They recoal on board and available, and a larger coived an ovation from the crowds of poo- vants were enlarged upon by

Cuba Being Looted in Defiance of the Protocol.

PROTESTS FILED IN VAIN

Nothing but Battleships Would Seem to Meet the Case.

Havana. Oct. 22.-Testerday afternoon the evacuation commission was informed of new prefects, issued this week, shows that J. F. Hamell was moving the old guns bought from the Spanish government at a sale held by the authorities. despite the commissioners' protest. Captain Brooks at once wired a report and was ordered to make an investigation. department attempted to keep Captain Brooke from entering, claiming that it was against his orders, but the later intsixed, advising the commandant to make a formal protest of trespass directly to the commissioners. Captain Brooks reported that the entire purchase had been removed, with the wagons and carriages Each article was checked as it went out The commission addressed a note to Mr. Hamell, warning him that the American government would claim the property and would hold him responsible for every piece removed. Yesterday afternoon the ommander further protested against the dismounting and shipments from the sland of the heavy Krupp guns of the Reina battery. The American commission is placed in an unfortunate position The Spanish government, it is alleged daily commits some act in violation of the terms of the protocol, or the legality of which is doubtful, such as the removal of guns or sale of government prop-

against which all the American ommision is able to do is to protest, ignored. As one of the commision said: "We cannot go out in the street and stop the guns being carted on the road ourselves. We should have troops of marines here to entorce our protests. All we can do it to urotest, to which action no attention is paid. It is the most extraordinary situation ever known. In

"These guns technically belonged to the fortres where they were placed and mounted, and could not accurately be considered as movable property. Next the authorities held a sale of about \$300,-South Haven, Kan., Oct. 22—(Special)—
Chester I. Long, Republican candidate for congress in the Seventh district, and W. M. Wallace of Kingman, addressed here, this afternoon, the base of the congression mision in the dismounting of the Havana Krupp guns in the Reina battery

TROOPS TO LAND IN NOVEMBER. come to the island in November.

SANTIAGO NURSE'S STORY Yellow Journals May Put It in Their Pipes and Smoke It.

ick soldiers at Santiago is described in the kind. As usual, a large number of a letter from Lillian M. Kraz, who is Fopulists and Democrats were in the crowd, many coming guite a distance to hear Mr. Long. They paid close attention of St. Luke's hospital, St. Louis. Fola letter from Lillian M. Kraz, who is

old-fashioned, alry building, with large applause windows on each ward, so we can have

"Now about our work here among the Three county candidates, Mr. Reddy, for poor soldier boys. Well, everything is ery's quarantine against all points county attorney; Mr. Stafflebach, for being done for them within reason, in probate judge, and Mr. Massey, for counspite of the many reports to the con trary, as we see in the dally papers, and I am sure there is no room for complain

"They have eggs at the rate of 10 cents Populism has had a good hold on it hith- and comfort and they have comfortable think, taking the circumstances into cor they could possibly he treated."

THORNS OF THE MANILA ROSE Rebels Kick on Dewey and the Vol-

unteers Kick on the Grab, New York, Oct. 22-A disputch to the Dewey's seizure of Aguinaldo's stramers of commendation and after his speech he has made the natives indignant and their stillible is threat-ning.

Allments among the American troops are mostly elight, being those common Europeans newly arrived in the tropics completaing.

GIRL-WIFE ACCUSED OF MURDER Said to Have bed Her Octogenarian Husband Ground & Lass.

applanded Mr. Lon's referenced to Lin-poin and President McK'niew and his Butterdeld Sanderson, he is-year-o Battle Creek, Mich., Oc. 21-Mrs. Mary wife of the late octogenarian Rudolph of Battle Creek, Mich., will be aben to the county jall at Marshall temorrow morning where she wil be held pendin a proliminary hearing on the charge o feedding him with ground gines in his

brenkfast oatmenl Sunderson, who was 80 years old, died smoddenly on October 4 under circumstan was married in Windsor, Ont., July ast, to Miss Butternold, a graduate of cess Helene of Orleans, daughter of the Ann Arber training school for nurses late Count of Paris, and was married to Oak Hill cemetery in this fity and the matter was given no particular though Consaturinople. Oct. 22-The emperor until stories circulated by servants in stock of provisions than ever known be- ple assembled to witness their departure, and an investigation is said to have re- 16. Something to Laugh About

caled the circumstances that Mrs. Saneson neglected to call a physician when implome of her aged husband's illness est appeared. His udden deasth wa said be due to paralysis.

lie first Mrs. Sanderson and the body was exhumed. The autopsy is said to have shown that death resulted from the eating of pulverized glass. Mrs. Sanderon was taken into custody at 4 o'clock this afternoon by Deputy Sheriff Greg ry, while she was counseling with At orney Cromby. She showed remarkable if-control and denied her guilt.

taken to Justice Lewis' court, where she was formaly charged with the murder. To an interviewer, she said: "No, I will not talk about my case, I am not

Immediately after her arrest she was

Sanderson is said to have been worth 40,060. A will has been found, duted 1982, n which all his property is bequeathed his first wife and daughter, both now

GAME KILLED FOR THE HIDE

Uncompandere Utes Are at Their Old Tricks Again, Denver, Oct. 22—A letter has been received by Game Commissioner Swann from William Walsh, of Rangely, Col., staring that the Indians are flocking to Spring Craek, Col., in large numbers and are slaughtering game in large quantities and leaving the meat on the ground, as usual, taking nothing away but the hides. he state respected, or the game protected. it will be necessary for him to do somefused to say anything about the Indians | gue celis. or what they were doing.

NEGRO RAPIST LYNCHED Assaulted and Attempted to Murder

Apple Morrison. Tempkinsville, Ky., Oct. 22-News has seen received here of the lynching of Arch Burkid, who committed an assault en and attempted to murder Annie Morison, oldest aughter of Henry Morrison, prominent farmer of Cumberland coun-

The crime was committed at the Morrison home yesterday afternoon. She fought the fiend with desperation, but the negro drew a piece of sharp from striking two or three blows on the head and effected wounds that may prove fatal, ie fled, believing his victim dead. When he neighbors learned of the horrible afr they formed a mob and pursued the a small cubin. The door was quickly roken down. When they entered, he egged for mercy, but a rope was quickly laced about his neck and he was dragged more dead than alive, to the woods, where The lynchers left the body and disap-

OHIO HAMLET ON A BOOM Canal Dover is Picased to Hope It

Has Discovered Gold, Canal Dover, O., Oct. 22.-Excitement is following the discovery of gold at Mal-vern, north of here, and the extensive plans for mining it continue unabated. and the little town is crowded with strangers. The hamlet, of scarcely 5% souls, has been transformed within the past few days inton veritable boom town, and a cosmopolitan air has been added by the strange mixture of humanity which has drifted in from all directions. The vein has been probed for nine feet. is four feet deep and perhaps six feet form so far as found. At all points the quartz is rich and will average up to

LOUISIANA AGAIN FREE But the Marine Bespital Service 1s

Not Satisfied Yet New Orleans, La., Oct. 22.-The Louisi-ma board of health today issued the folowing proclamation: "All quarantine as on traffic are hereby

nature, and designed to avoid any possihity of entry of yellow fever from the

ed off today by the city board of

BULLETIN OF The Wichita Baily Gagle.

Weather For Wichita Today: Fair; warmer; south winds

San .- Rises, 6:19; sets 5:10.

IMPORTANT NEWS OF TODAY.

I. Crisis in Apglo-French Affairs Spain Is Leoting Cuba Vienna's Pingue Panie

Irrigation Committee Report

3 Wichitz Livestock Market

4 Will Beatty for Stauley Charley Carey for Stanley

5. Farmers Paying Their Debts

Bean Gordon for Stanley 6. Pilow Silp Party

7. More Claims Against R. I. 9. Club Women of Kansas

10 Bab at Newport Outfit for a College Girl

12. Eagle's Sunday Editorial Page 13. How the Engle's Wire Works

11. Fashion, Bab and the Beauties

Gossip For Home People 14 Ex-Chairman Laverty's Secession

15. Week's Work in Wichita College

Matters of Local Moment

Five Cases Besides the One Already Proven Fatal.

PATIENTS ALL ISOLATED

But It Is Feared the Contagion Has Already Spread.

(Copyright, 1898, by the Associated Press.) London Oct 21-The outbreak of bubonic plague at IVenna, due to the experiments of Prof. Notingales bacteriological establishment in the cultivation of the plague bucillus, has spread terror at the Austria capital. Five cases, in addition to that of the late Herr. Barisch, the as-If the intends to have the game laws of ed the buboulc plague while cultivating the channel of the Arkansas river. Several which is evidence of it. This is the clear two nurses in take laboratory, another of thing immediately. Ross Guffin, the the assistants, Herr. Barisch's wife and agent of the Uncompangre Utes, the tribe | Dr. Mueller, the physician who attended that is causing the trouble at present in Herr. Baisch. The last sacrements of the commissioner Swann and had a long talk | ed to the latter and to one of the nurses with him regarding the situation, but re- by a priest, through a window of the pla-

Dr. Mueller was considered an authority on the plague, baving been to Bombay for the purpose of studying it on the spot, and he survived all the dangers there. The disease at iVenna has assumed : eumonic form. There are no boils, bu eah case is accompanied by high fever

and blood spitting. Extraordinary precautions have been taken to prevent an epidemic. The plague patients lie in an isolated building, atprescriptions are placed on the window

of them resisted and others tried to escape, but were captured, and all were locked up. It is feared, however, that the was ill for three days before he saw a doctor, during which time he lived with his wife and visited winnehous. The wife who has now developed suspicious symptoms, visited friends, rode in public omnibusses and came in contact with dozens of people at her husband's funeral. The excitement in medical circles is us. The well known chemist. Prof. Hofrotz Luding, has made a pathetes equal to all emergencies. This reveals the fact that it is the opinion of belonging to riparian owners in Kansas. medical men at the Austrian capital that "Their prosperity is the measure of our the assays which have been made. Spec- the plague is likely to spread in that city. adversity," and the continuance of the diulators are buying up all the land possi-ble in the vicinity at fancy prices.

Another significant indication of this ap-prehension is found in the fact that a climy of their soil depends means a conprehension is found in the fact that a fility of their soil depends means a con-temporary hospital, consisting of sevral tinued curtailment, and its threatened indetached sheds, was hastily erected, dur- crease means a provincial destruction of

it as quickly as possible. A MORE COMFORTING VIEW. London, Oct. Z -The Observer's Berlin | who live on the banks of the river

plague in Vienna. Prof. Budoiph Virehow, the correspon-Montgomery, A'a, Oct. 73 - Montgom- therities to the danger. The sole means of foundation of the law. protection, Prof. Virchow says, if cleanners, carefulness and watchfulness.

> survail of the disease. Prof. Loyden explains that artificially raised bacill do not possess the strength of natural bacilli and says that bitherto abratury cases have not proved contag-

The Clinical Review asserts that the outbreak of the plague must not be ex-Wichita, unday, ctober 23, 1898 pioned against any scientific investigation

SANTA FE CONSOLIDATION All Branch Lines to be Included Un-

der One Incorporation. Topeka, Kan. Oct. 22-All the branch ines now included in the Santa Fe sysrparations and be incorporated under ta Fe railway. Many of the lines will be formally sold to the purent corporation, but those that are in such shape that a formal purchase cannot be made will be

This enterne will be officially ratified by the board of directors of the Santa Fe rightsof adjoining proprietors upon the destruction of the prespecity system at the annual meeting in this city banks of mater courses with respect to the valley. on December 8 and the formal transfer of | waters thereof. These rights are incident the property will be made afterwards. It is the ownership of the banks of the water will be an emportical move, a doing away courses, and it is necessary to the existence with a large amount of accounting and of a reparian right that the land should came pecuatarly applicable to the rights in statistical work which has been made neo- be in contact with the flow of the stream." essary by the separate corporations. All -Am. & Eng Cyclopaedia of Law, Vol. 21, along the Arkansus river in Kabess. A the stock and bends of the branch times p. NT. are held by the Santa Po rallway com- A more extended statement of those order:

TWENTIETH KANSAS MEN Captain Lowe Declared Inclinible

But Captain Watson Retained eral to be worthy his rank, and was refn-

stated in his regiment Freight Train Wreck at Mulhall Mulhall, O. T. Oct. 21-(Special)-A corth-bound freight ran into the rear of ing a number of hands, but

THRUST AT DITCH OWNERS

Committee of the Arkansas River Valley Protective Associaton Makes Its Report.

RIPARIAN RIGHT DEFINED

Supreme Court of Washington Says Right of Riparian Proprietors to Flow of the Stream Is Inseparably Annexed to Soil.

ers, business and professional men was minish the quantity of the water which held at the court house to device some would otherwise descend to the proprietor means to prevent the ditch owners of below, nor throw the water back upon the sistant in the establishment who contract. Colorado from diverting the water from the bacilius, have now occurred. They are meetings were held in the spring and a and settled docrrine on the subject, and committee was appointed to go over the all the difficulty which arises counts in ground and report. Judge S. S. Ashbaugh its application." and W. J. Babb were delegated to look up the law touching upon the situation and fice Field in a decision of the suprema report with committee. Their work is in- Atchison vs. Peterson, in 1874, has never corporated in the following report of the been overruled or even modified, and is a

To the People of the Arkansas Valley in day.

ditch-builders of Colorado, a public meet. sation "-Fifth ameniment. ing was held in the court house at Wichtended by Dr. Pooch, a volunteer physi-cian, and by Sisters of Charity. They are the banks of the river have been deprived to his lands as it we won to run." to desurrounded by a rope, across which no- of any rights or property by reason of prive him of that right without due probody is allowed to pass. Dr. Pooch writes such diversion, and if so, what is the best over of law, as the Colorado ditch-Suilders the prescriptions and fastens them to the and most feasible remety and means for are actually deprving Kansas farmers of window pane. The doctors outside read the restoration and protection in the future of such rights and property

Tals committee, composed of E. R. Jewledge, whence they are removed by those ett, Shas Rutledge, W. J. Babb, James R. inside. Food is conveyed to the patients | Mead and Walter H. Graves, has given and their attendants by Sisters of Char- careful consideration to the very impor- is therefore as truly his property as is the ity. The nurses furnish accounts by tele- tast matters committed to them, and have phone of all changes in the patient's con- endeavored to arrive at a conclusion, in To destroy that right is any fay whatever their deliberations, which should be sup-Every person who has come in contact period not only by the law, but by those he is deprived of his property without due with Herr. Baisch, principally the hosprincipals of equity and justice as well, process of law the constitition of the pital attendants, have been isolated. Some | which form the foundation of all enduring

The committee believe that it is unused essary, in this report, to state in detail the injuries that have been done the Kansas farmer living on the banks of the Arkansus by the diversion into Colorado in the channel of that stream. These injuries are too well known to the people of this valley to need rehearest. Neither is it the purpose of the committee to repeat the beasts of the people of Columnto to speech, during which he expressed the with regard to the ferming of soil, whose the application of the waters rightfully in Atchison vs. Peterson, Justice ng the past night, beyond the infectious agricultural production in the valley One hundred men worked by which has been proverblady fertile while torchlight. There is an order to complete watered by the natural flow of the river The restoration of the water to its accustomed channel is the plain right of these

correspondent says that leading special- It has been urged in support of the dilet sthere are of the opinion that there is version of the water by Colorado divisno danger of an outbreak of the bubonic builders that as the water falls in that state the people of the state have the right dent, says, points out that the germs of further down the stream in another state This, we submit, is not the law; nor is the the discrete are considered to the property of should not be permitted to blind the au- with the principles of justice, which is the

THE LAW IN THE CASE. The committee ask the close attention Dr. Ochlerfi director of the board of of the reader to some definitions where. kansas river in Kansas to the use of the Biparian lands are lands which are di-

rated by the waters of a stream. not riparian. Whether or not they are not as against an inferior proprietor, directly naturally, moistened by the man-confer it upon another.

they are not riparian. RIPARIAN RIGHTS DEFINED. "Riparlan rights are the correlative maters which belong there and prevent

rights is made to Kent's Commentaries in | Several rigarian proprietors, or owners

the Common Law, as follows: of is river has naturally an equal right to their against people who were diverting the one of the water which flows to the one waters of that stream at a point San Francisco, Oct. 2-Lieutecant stream afforest to his limits on it was above them, to made not riperian—that is, seneral Merriam into decided that Cap- with to run (currers colemnt) without di- not madefeed by the waters while flowminution or afterestion. No proprietor has ing in their natural channel. The superwith Kanean, was disqualified for service a right to use the water to the prejudice for court. In which the action was Manila, and therefore upheld the de. of other proprieters above to below him, brought, granted the prayer for an inislan of the deard which first declared unless by hix a prior right to divert ft, providen, and an appeal was taken to the is incompetency. Captals George M. or a title to nome exclusive enjoyment. He supreme court. The non-riperian numbers has no property of the water strelf, but a pleaded that under the law of the stoke ment, however, was deemed by the gen- simple truffact while it passes along us to prior appropriation they were sati-Aqua currit et debet currit ut currere tied to the use of the water as against solabat. (Water runs and ought to run on the lower riparian owners, plaintiffs in it was wind to run. Though he may use the original action, who shoot on the the water while it runs over his lead, he common law destrine of riparian rights, cannot unreasonably detain it or give it The committee feel that they can not do another freight truin on the Santa Fe here snother direction, and he must return it to better han quote at considerable length its ordinary channel when it leaves his the language of this decision, as showsetate. Without the consent of the ad-ing the application of the common law

Last February a mass meeting of farm- | idning proprietors, he cannot divert or di-

The above language was quoted by Juspart of the law of the United States to

The constitution of the United States di-At the call of some gentlemen who had clures: "No person shall be deprived of sterested themselves in the subject of the life, liberty or property without due prodiversion of the waters of the Arkansas coss of law nor shall private property be river from its accustomed channel by taken for public use without just compen-

It will be seen that as "every proprietor Ha. Kan., on February 10, 1888, at which of lands on the banks of a river has not meeting a committee was appointed to usally an equal right to the use of the that right, is depriving him of a right guaranteed to him by the constitution of the United States. For the right to use the water, being "incident to the ownership of the banks of the water courses." land adjacent to the banks of the stream is to deprive him of his property. And if United States is violated. The remedy for his, as must be apparent to the reader,

les in an appeal to the courts. In addition to the doctrine so flearly stated by Chancellor Kent, and adopted ed States, the committee desire to call attention to a few cases recently decided in ditches of the water accustomed to flow states in which these rights are generally recognized as of great importance

"Perhaps the doctrine of prior appre cidated than in California, a great state an trrigating ditch. It is signifferent that hope that the doctors of Vienna will prove productiveness is made possible only by the author of the opinion above quoted was for many years prior to his elevaion to a seut on the supreme bench of the United States chief justice of the supreme court of California, under whom on in the use of water for hydraulie cicles come down as a heritage from the ommon law of England, is even there iominant in every case whose conditions permit its application. As late as July s Goods vs. Flatten, used this languages The rights of riparian swises are limit ed to the ordinary and reasonable use of the water which flows in the stream, and torpus (body) of the water. His right to is are termed ardinary purposes-ad lavandom et an potandom (for washing and connected with the land bordering on the emice the extent to which such uses may be carried or the purposes to which ments of the law of riparian rights and de- in any case include the right, as against claims of courts upon that subject, which an inferior proprience, to divert the wathey believe to be conclusive as to the tor to pon-cinarian lands. Each ripariun right of the riparian owners along the Ar- namer is smilled to like natural flow of he stream through his land with the limwater of that stream as it was accus- station, however, that the superior promount as he is entitled to for riparien rectly and naturally moistened or same purposes. The superfor proprietor can not The term "stream" includes the under- water which he would have a right to use flow us well as the visible mater. Hence, for riparian purposes, but which he does land distant from the visible water of the just its fact use. His reparten right is strong may be rightlyn to the strong as appointment to the land sendering on the truly as that which forms the banks of stream and does not give him the tight the wisible current. There is no hard and for divert the water to lands which are has rule of discusses within which lands not ripartan to the stream; and he can are riparium and without which they are not excretae this right himself he can

"It is murely impossible to state more If as mostered they are riparian; if not, strongly the decreme which, enforced in the case of the Arkaness river, would recore to their accustomed channel the

> A DESCRIPTION IN POINT On the second day of July, 1887, the sureme court of Epshington desided a constitute and purallel to the or brief etalement of the case will be in

of stparion lands on the Trittanum river, "Every proprietor of lands on the banks. Taking county, Washington, brought at-